IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 3RD DECEMBER 2007 / 12TH AGRAHAYANA 1929

WP(C).No. 35746 of 2007(E)

PETITIONER:

M/S.WINTEX POLYMERS & MARBLES,
PAYYANNUR, 670 307, REPRESENTED BY ITS
MANAGING PARTNER, MOHAMMED IQBAL.

BY ADV. SMT.S.K.DEVI

RESPONDENTS:
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1. THE COMMERCIAL TAX OFFICER (AA),
DEPT. OF COMMERCIAL TAXES, KANNUR-670 002.

2. THE DEPUTY COMMISSIONER (APPEALS),
COMMERCIAL TAXES, KOZHIKODE-673 011.

3. THE SPL.DEPUTY TAHASILDAR (RR),
TALIPARAMBA-670 141.

BY GOVERNMENT PLEADER SRI.GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 35746 OF 2007 E
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Dated this the 3rd day of December, 2007

J U D G M E N T

Aggrieved by Ext.P1 order of assessment, petitioner has filed Ext.P2 appeal and Ext.P3 stay petition. While orders are awaited, revenue recovery steps are taken by Ext.P4 and hence this writ petition.

2. Taking into account the pendency of the stay petition before the 2nd respondent, this writ petition is disposed of directing the 2nd respondent to consider Ext.P3 application for stay and pass orders thereon. This shall be done within three weeks of receipt of copy of this judgment and in the meanwhile, further proceedings pursuant to Ext.P4 shall be deferred for a period of four weeks from today.

Petitioner shall produce a copy of this judgment before the 2nd respondent for compliance.

Writ petition is disposed of.

ANTONY DOMINIC, JUDGE.

Rp